

Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) NO. CR06-0466TSZ
Plaintiff,)
v.) FINAL ORDER OF FORFEITURE
DAVID R. MENDOZA,)
Defendant.)

This matter comes before the Court on motion of the United States for entry of a Final Order of Forfeiture with respect to the following assets:

Real property commonly known as 1135 Tacoma Avenue South, Tacoma, Washington, Pierce County Parcel #201111-010-0, together with its Buildings, Improvements, Appurtenances, Fixtures, Attachments, and Easements, more particularly described as:

Lot 17, Block 1111, Map of New Tacoma, W.t. According to the Plat Filed for Record February 3, 1875 in the Office of the Pierce County Auditor, in Pierce County Washington.¹

On November 19, 2009, this Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting defendant David R. Mendoza's interest in the above described real property. The assets were subject to forfeiture pursuant to Title 21, United States Code, Section 853, based on David R. Mendoza's guilty plea to Conspiracy to Import more than 1,000 kilograms of Marijuana, as charged in Count 1 of the

¹Three other real properties were included in the preliminary order of forfeiture, however those properties were forfeited in the related civil forfeiture action *U.S. v. 2526 155th Place SE, Bellevue, et al.* Case No. C07-0359TSZ.

1 Superseding Indictment, in violation of Title 21, United States Code, Sections 952(a),
2 960(a)(1) and (b)(1)(G) and 963, and his agreement to forfeit the above described asset.
3 Based upon the plea agreement and the other files and records herein, the Court finds that
4 defendant David R. Mendoza had an interest in said property that is forfeitable under the
5 above cited statutes.

6 Pursuant to Title 21, United States Code, Section 853(n), the United States
7 published notice on an official government forfeiture website, currently
8 www.forfeiture.gov for thirty (30) days beginning November 24, 2009. In the publication
9 the United States published notice of the Preliminary Order of Forfeiture and the intent of
10 the United States to dispose of the property in accordance with law. This notice further
11 stated that any person other than the defendant having or claiming an interest in the
12 property was required to file a petition with the Court within sixty (60) days of the first
13 date of publication, setting forth the nature of the petitioner's right, title, and interest in
14 the property.

15 All persons and entities believed to have an interest in the real property subject to
16 forfeiture were given proper notice of the intended forfeiture.

17 Following publication of due notice as prescribed by Title 21, United States Code,
18 Section 853, no petitioners or claimants have come forth to assert an interest in the
19 forfeited property, and the time for doing so has expired. Accordingly,

20 IT IS ORDERED, ADJUDGED and DECREED that the following property
21 owned by David R. Mendoza is hereby fully and finally condemned and forfeited to the
22 United States in its entirety:

23 Real property commonly known as 1135 Tacoma Avenue South, Tacoma,
24 Washington, Pierce County Parcel #201111-010-0, together with its
Buildings, Improvements, Appurtenances, Fixtures, Attachments, and
Easements, more particularly described as:

25 Lot 17, Block 1111, Map of New Tacoma, W.t. According to the Plat Filed
26 for Record February 3, 1875 in the Office of the Pierce County Auditor, in
Pierce County Washington.

27 IT IS FURTHER ORDERED, ADJUDGED and DECREED that no right, title, or
28 interest in the above-described property shall exist in any other party.

The United States Department of Homeland Security, and or its duly authorized agent, is authorized to dispose of the above listed property in accordance with the law.

The Clerk of the Court is hereby directed to send a copy of this Final Order of Forfeiture to all counsel of record and send three (3) “raised seal” certified copies to the United States Attorney’s Office in Seattle, Washington.

DATED this 22nd day of April, 2011.

Thomas S. Zilly
Thomas S. Zilly
United States District Judge

Presented by:

s/Richard E. Cohen
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